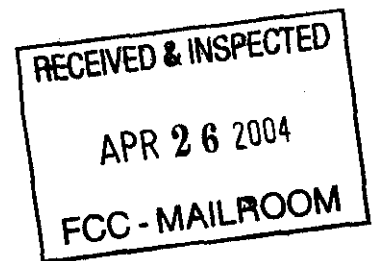


DOCKET FILE COPY ORIGINAL



**Morgan County School District
Wartburg, Tennessee**

Request for Review / Request for Waiver

CC Docket No. ~~02-6~~ 02-6

April 23, 2004

Attachment #1



RECEIVED & INSPECTED

APR 26 2004

FCC - MAILROOM

Morgan County Schools

136 Flat Fork Road

Wartburg, Tennessee 37887

David Freels - Director of Schools

Mike Davis - Assistant Director of Schools

Board Of Education:

Central Office Phone: (423) 346-6214 FAX: (423) 346-6043

Perry Spurling, Chairman	Jim Rivers	Randy Harlan	Rebecca Ruppe	Debbie Lively	Conrad Strand
P.O. Box 93	145 Gouge Hollow Rd	326 Lakeshore Dr	P.O. Box 234	513 Bob Arnes Circle	P.O. Box 146
Sunbright, TN 37872	Oliver Springs, TN 37840	Wartburg, TN 37887	Oakdale, TN 37829	Wartburg, TN 37887	Deer Lodge, TN 37726

April 23, 2004

Federal Communications Commission
Office of the Secretary
9300 East Hampton Drive
Capitol Heights, MD 20743

**Request for Review
and/or Request for Waiver**

CC Docket No. 02-6

Dear FCC Review Committee:

Please accept this Request for Review regarding the "Administrator's Decision on Appeal - Funding Year 2002-2003" from the Schools and Libraries Division ("SLD") of the Universal Service Administration Company ("USAC").¹ The SLD has denied funding on all 6 of our funding requests for telecommunication reimbursements for the above-listed funding year. The SLD basis for this denial is predicated on the assertion that we (Morgan County School District) failed to file our corresponding Form 486. Our records show that our Form 486 (Applicant Form Identifier # 650YR5486A) was, in fact, completed well within our filing window and contained the requisite information for all 6 funding requests.² Furthermore, we have presented a copy of the FedEx Overnight USA Airbill, dated December 23, 2002, which was used to mail this form to SLD.³ In SLD's Appeal Decision Letter, they acknowledged that we provided proof of mailing, however, they indicated we were unable to provide proof of delivery.¹ The phrases "proof of mailing" and "proof of delivery" represent our specific point of contention. According to the Form 486 filing instructions (OMB 3060-0853), we are advised to keep proof of mailing (See Section IV, page 9, under *Manual Filers*., part b.).⁴ This document does not say anything about keeping proof of delivery. We feel that it is reasonable to expect that if we are instructed to keep proof of mailing, and we do this, that it will be accepted as sufficient evidence of our timely filing.

During SLD's review of our appeal, they sent me an email requesting signature proof of delivery from FedEx. I attempted to comply with this request, but when I contacted FedEx, I was informed that delivery information is only kept in their system for a period of 3 months and is no longer available for this package.⁵ In my response to SLD's email, I advised them of this problem, and reminded them that the Form 486 Instructions were simply to keep proof of mailing.

No. of Copies rec'd 
List ABCDE

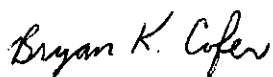
We believe our situation is similar to the Saint Vincent's Home School Order (DA 04-306)⁶, in which they presented their proof of mailing, and we respectfully request that our Form 486 be remanded to the SLD for further processing.

Alternately, (in the event that the FCC Review Committee believes Request for Review is insufficient), we would like to be further considered under Request for Waiver. We believe that a waiver would also be appropriate for the following reasons:

- (1) We made a good faith effort to comply with the SLD 120-day deadline by promptly mailing our Form 486 within one week after receiving our Funding Commitment Decision Letter.
- (2) We have demonstrated a long record of strict and consistent compliance with SLD by filing all forms accurately, completely, and without missing any deadlines whatsoever. We believe this instance was beyond our control due to mishandling by either the carrier or SLD.
- (3) We followed Form 486 Instructions (OMB 3060-0853) by keeping proof of mailing.
- (4) Form 486 Instructions fail to instruct applicants to keep signature proof of delivery, which is notably different from proof of mailing. We had no forewarning signature proof of delivery was required until SLD requested it during our appeal with them. At this point in time, it was no longer possible to obtain.
- (5) We are seeking discounts only for telecommunication services. It is our understanding the Commission has authority to waive the deadline with respect to requests that involve only telecommunication services. We believe this to be similar to and consistent with precedent in the Woodburn School District Order (DA 03-3054)⁷ and Eastern Lebanon Order (by reference).
- (6) Morgan County School District is a small rural school district in an economically disadvantaged area serving approximately 3,300 students. Loss of this reimbursement for 80% of our telecommunications costs for an entire year would have a significant negative impact on the students of this county and definitely would not serve the public interest. We respectfully submit that if deviation from strict adherence to the general rule is necessary for this appeal, it is very much warranted.

Thank you for your time and consideration.

Sincerely,



Bryan K. Cofer
Supervisor of Technology

¹ Letter from SLD to Bryan Cofer entitled Administrator's Decision on Appeal – Funding Year 2002-2003, dated April 14, 2004.

² Morgan County School District's Form 486, #650YR5486A.

³ FedEx Overnight USA Airbill, dated December 23, 2002.

⁴ FCC Form 486 Instructions (OMB 3060-0853).

⁵ Email correspondences dated March 8 through March 9, 2004 between SLD and Bryan Cofer regarding initial appeal.

⁶ Saint Vincent's Home School Order (DA 04-306), released February 6, 2004.

⁷ Woodburn School District Order (DA 03-3054), released October 6, 2003.

Note: The following attachments (# 8 and # 9) may also be pertinent, but are not referenced within body of letter:

⁸ Letter of Appeal from Bryan Cofer to SLD, dated January 22, 2004.

⁹ Form 472 (BEAR Form) Notification Letters (for each of the 6 BEAR filings).

Contact Information:

Bryan Cofer, Supervisor of Technology
c/o Morgan County School District
136 Flat Fork Road
Wartburg, TN 37887

Phone: (423) 346-6214

Mobile: (423) 539-3231

Email Address: coferb@mcsmail.net

Billed Entity Name: Morgan County School District

Billed Entity Number: 128406

486 Applicant's Form Identifier: 650YR5486A

Funding Year: 2002

Attachment #2



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal - Funding Year 2002-2003

April 14, 2004

Bryan Cofer
Morgan County School District
136 Flat Fork Road
Wartburg, TN 37887

Re: Billed Entity Number: 128406
471 Application Number: 327398
Funding Request Number(s): 878547, 878548, 878549, 878550, 878551,
878552
Your Correspondence Dated: January 22, 2004

After thorough review and investigation of all relevant facts, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") has made its decision regarding your appeal of SLD's Year 2002 Form 472 (BEAR Form) Notification Letter for the application number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission ("FCC"). If your letter of appeal included more than one application number, please note that for each application an appeal is submitted, a separate letter is sent.

Funding Request Number(s): 878547, 878548, 878549, 878550, 878551, 878552
Decision on Appeal: **Denied in full**
Explanation:

- You appeal the SLD Reimbursement Request decision, which held that a Form 486 with Service Start Date was never filed for the above referenced FRNs, and resulted in a denial of reimbursement for Morgan County School District ("the school district"). On appeal, you assert that the school district completed and mailed the Form 486 on December 23, 2002, which was within the Form 486 120-day deadline. You include a copy of the proof of mailing and a copy of the Form 486. Finally, you request the SLD to resolve the matter, as the school district needs the funding.
- After thorough review and investigation of all relevant facts, the SLD properly determined that the school district is not entitled to reimbursement. According to Funding Year 2002 program rules, a Form 486 must be postmarked no later than 120 days after the Service Start Date ("SSD") recorded on the Form 486 or the date of the Funding Commitment Decision Letter (FCDL), whichever is later, in

order for discounts to be paid retroactively to the Service Start Date. If the Form 486 were received by SLD postmarked more than 120 days after the SSD recorded on the Form 486, or the date of the FCDL, then SLD would modify the SSD to 120-days before the postmark date. In this case, you were not able to submit proof that the Form 486 was received by the SLD for the FRNs listed above; therefore, the correct SSD could not be determined. The SLD records also do not show of having received any Form 486 from the school district for the FRNs listed above. Therefore, no reimbursement would have been awarded.

- FCC rules provide that FCC Form 486 certifications must be provided to the Administrator in accordance with existing program guidelines established by the Administrator. *See* 47 C.F.R. § 54.520(g). Existing program guidelines are explained in the Funding Commitment Decision letter. Your Funding Year 2002 Funding Commitment Decision letter notified you that the "Form 486 must be postmarked no later than 120 days after the Service Start Date featured on the Form 486 or no later than 120 days after the date of the Funding Commitment Decision Letter, whichever is later. If the Form 486 is postmarked after the later of those two dates, the date 120 days before the Form 486 postmark date will become the start date for discounted services." *See* Funding Commitment Decision Letter (Funding Year 2002: 07/01/2002 – 06/30/2003), page 2. Consequently, your appeal is denied.

If you believe there is a basis for further examination of your application, you may file an appeal with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience, and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

Schools and Libraries Universal Service Receipt of Service Confirmation Form

FCC Form 486: To be completed by the Billed Entity
Please read instructions before completing.

Estimated Average Burden Hours For First Submission: 15.0 hours
For Subsequent Submissions: 1.5 hours

Applicant's Form Identifier 6 5 0 Y R 5 4 8 6 A

Form 486 Application
(To be inscribed by Fund Administrator)

Block 1: Billed Entity Information

1. Name of Billed Entity

M o r g a n C o u n t y S c h o o l D i s t r i c t

2. Billed Entity Number

1 2 8 4 0 6

3. Funding Year

2 0 0 2

4. Complete Mailing Address of Billed Entity

Street Address, P.O. Box or Route Number

1 3 6 F l a t F o r k R o a d

City

W a r t b u r g

State

Zip Code

T N

3 7 8 8 7

Telephone Number

4 2 3 3 4 6 6 2 1 4

Extension

Fax Number

Email Address

c o f e r b @ m c s m a i l . n e t



0 4 8 6 0 1 0 1 0 2

Entity Number

128406

Applicant's Form Identifier

650YR5486A

Contact Person

Bryan Cofer

Phone Number

(423) 346-6214

5. Contact Person Information

Contact Person Name

Bryan Cofer

Street Address, P.O. Box or Route Number

136 Flat Fork Road

City

Wartburg

State

Zip Code

TN

37887

Check the box next to the preferred mode of contact. (At least one box MUST be checked.)

☒ Telephone Number

Extension

☐ Fax Number

423

346

6214

423

346

6043

Email Address

coferb@mcsmail.net

Persons willfully making false statements on this form can be punished by fine or forfeiture, under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001.

NOTICE: The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended, 47 U.S.C. § 254. The data in the form will be used to inform the Schools and Libraries Division of the Universal Service Administrative Company that a billed entity, and/or the schools and libraries that it represents, has begun or has planned to begin to receive service after receiving a funding commitment approval pursuant to FCC Form 471.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or potential violation of an FCC statute, regulation, rule or order, your application may be referred to the federal, state, or local agency responsible for investigating, prosecuting, enforcing or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government, is a party in a proceeding before the body or has an interest in the proceeding. In addition, consistent with the Communications Act of 1934, FCC regulations and orders, the Freedom of Information Act, 5 U.S.C. § 552, or other applicable law, information provided in or submitted with this form or in response to subsequent inquiries may be disclosed to the public.

If you do not provide the information requested on the form, your application may be returned without action or your application may be delayed.

The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq.

Public reporting burden for this collection of information is estimated to average 15.0 hours for the first submission and 1.5 hours for subsequent submissions, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden, to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, D.C. 20554.



0 4 8 6 0 1 0 2 0 2

Entity Number	<u>128406</u>	Applicant's Form Identifier	<u>650YR5486A</u>
Contact Person	<u>Bryan Cofer</u>	Phone Number	<u>(423) 346-6214</u>

Block 2: Early Filing Information and CIPA Waiver Request

6a. Early Filing

CHECK THE BOX BELOW IF THE FRNS ON THIS FORM 486 ARE FOR SERVICES STARTING **ON OR BEFORE** JULY 31 OF THE FUNDING YEAR.

☐ The Funding Requests listed in Block 3 have been approved by SLD as shown in my Funding Commitment Decision Letter (FCDL). I have confirmed with the service provider(s) featured in those Funding Requests that these services will start on or before July 31 of the Funding Year.

Remember: Early filing using Item 6a is an option if and ONLY if services will start within the month of July of the relevant Funding Year, all relevant certifications in Block 4 can be accurately made, and the Form 486 is postmarked on or before July 31 of the Funding Year.

6b. CIPA Waiver

CHECK THE BOX BELOW IF YOU ARE REQUESTING A WAIVER OF CIPA REQUIREMENTS FOR THE SECOND FUNDING YEAR AFTER APRIL 20, 2001 IN WHICH YOU HAVE APPLIED FOR DISCOUNTS IF YOU AS THE BILLED ENTITY ARE THE ADMINISTRATIVE AUTHORITY.

☐ I am providing notification that, as of the date of the start of discounted services, I am unable to make the certifications required by the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and/or (l), because my state or local procurement rules or regulations or competitive bidding requirements prevent the making of the certification(s) otherwise required. I certify that the schools or libraries represented in the Funding Request Number(s) on this Form 486 will be brought into compliance with the CIPA requirements before the start of the Third Funding Year after April 20, 2001 in which they apply for discounts.



Entity Number	128406	Applicant's Form Identifier	650YRS486A
Contact Person	Bryan Cofer	Phone Number	(423) 346-6214

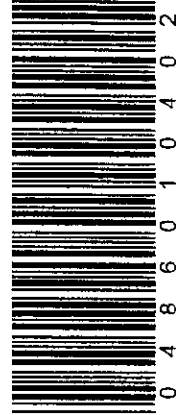
Block 3: Service Information

7. Please provide the following information for each Form 471 Block 5 (Discount Funding Request) item for which the Billed Entity is indicating that the named Service Provider may begin submitting invoices to SLD. You will need your FCDL for some of the information required below.

Remember: The FRNs listed below must be from the same Funding Year as is listed in Item 3, Block 1.

If you need additional pages, please label them 4A, 4B, 4C, etc. and indicate the number in the space provided here: Page 4

	(A) 471 Application Number (10 digits) From FCDL	(B) Funding Request Number (FRN) (10 digits) From FCDL	(C) Billing Account Number (required if contained on your FCDL)	(D) Service Provider Name From FCDL	(E) Service Provider Identification Number (SPIN) (9 digits) From FCDL	(F) Funding Year Service Start Date* (Earliest Date that Discounts Will Begin) (*Cannot be before July 1 of the Funding Year for which you are requesting discounts.)
1	327398	878547	423-346-6214	Highland Tel. Coop. Inc.	143001630	07012002
2	327398	878548	423 435 7332 470 1864	BellSouth Telecomm, Inc.	143004824	07012002
3	327398	878549	423 346 6214	Verizon Select Services, Inc.	143004038	07012002
4	327398	878550	N/A	Tennessee RSA No. 3 Limited Partnership	143000661	07012002
5	327398	878551	N/A	BellSouth Personal Communications	143013705	07012002
6	327398	878552	N/A	Metrocall, Inc.	143003033	07012002
7						
8						



Entity Number	<u>128406</u>	Applicant's Form Identifier	<u>650YR5486A</u>
Contact Person	<u>Bryan Cofer</u>	Phone Number	<u>(423) 346-6214</u>

Block 4: Certifications and Signature

8. I certify that the technology plan(s) for the services received as indicated on this Form 486 have been approved as necessary. Fill in the name(s) of the organization(s) that reviewed and approved a technology plan for any eligible entity that is receiving services covered under this form; attach an additional list if necessary. If ALL of the FRNs listed herein are for basic telephone service only, write in "none" here.

n o n e

9. I certify that the services listed on this Form 486 have been, are planned to be, or are being provided to all or some of the eligible entities identified in the Form 471 application(s) cited above. I certify that there are signed contracts covering all of the services listed on this Form 486 except for those services provided under tariff or month-to-month arrangements. I certify that I am authorized to submit this receipt of service confirmation on behalf of the above-named Billed Entity, that I have examined this request, and that, to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

10. I understand that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the services receive an appropriate share of benefits from those services. I recognize that I may be audited pursuant to this application and will retain for five years any and all records, including Forms 479 where required, that I rely upon to complete this form and, if audited, will make available to the Administrator such records.

NOTES FOR COMPLETING THE CERTIFICATIONS IN ITEM 11

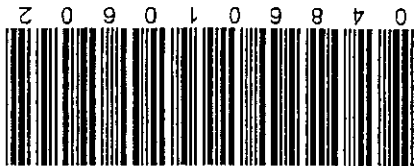
A Billed Entity who is the Administrative Authority must check Item 11a or 11b or 11c. Check only ONE item. Note that the certification in Items 11a and 11b are different for schools and for libraries. If the Billed Entity is not the Administrative Authority, skip to Item 11d.

A Billed Entity who represents one or more Administrative Authorities must check Item 11d or 11e. (See the Form 486 Instructions for Item 11, "Special Notes for Billed Entities Who Represent One or More Administrative Authorities.")

A Billed Entity who represents one or more Administrative Authorities in Funding Years after Funding Year 2001 and who checks Item 11d must check Item 11f or 11g. (See the Form 486 Instructions for Item 11, "Special Notes for Billed Entities Who Represent One or More Administrative Authorities.")

IF THIS FORM PERTAINS TO A FUNDING YEAR PRIOR TO FUNDING YEAR 2001 (THE FUNDING YEAR BEGINNING JULY 1, 2001), SKIP TO ITEM 12.





See the Form 486 Instructions for Item 11, "Special Notes for Billed Entities Who Represent One or More Administrative Authorities."

The certification language above is not intended to fully set forth or explain all the requirements of the statute.

I certify that no eligible consortium members checked Form 479 Item 6d to seek a CIPA Waiver.

I certify that some or all of the eligible consortium members checked Form 479 Item 6d to seek a CIPA Waiver, and upon request from the Administrator I can provide this information; OR

For Funding Years after Funding Year 2001: If you checked Item 11d above, check ONE of the boxes below:

I certify as the Billed Entity for the consortium that the only services that have been approved for discounts under the universal service support mechanism on behalf of eligible members of the consortium are telecommunications services, and therefore the requirements of the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (i), do not apply.

I certify as the Billed Entity for the consortium that I have collected duly completed and signed Forms 479 from all eligible members of the consortium.

I certify that as of the date of the start of discounted services:

FOR A BILLED ENTITY WHO REPRESENTS ONE OR MORE ADMINISTRATIVE AUTHORITIES :

The Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (i), does not apply because the recipient(s) of service represented in the Funding Request Number(s) on this Form 486 is (are) receiving discount services only for telecommunications services.

completed all requirements of CIPA for this funding year.

(FOR LIBRARIES) pursuant to the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(i), the recipient(s) of service represented in the Funding Request Number(s) on this Form 486 is (are) undertaking such actions, including any necessary procurement procedures, to comply with the requirements of CIPA for the next funding year, but has (have) not

including any necessary procurement procedures, to comply with the requirements of CIPA for the next funding year, but has (have) not completed all requirements of CIPA for this funding year.

(FOR LIBRARIES) the recipient(s) of service represented in the Funding Request Number(s) on this Form 486 has (have) complied with the requirements of the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(i).

(FOR SCHOOLS) the recipient(s) of service represented in the Funding Request Number(s) on this Form 486 has (have) complied with the requirements of the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (i).

I certify that as of the date of the start of discounted services:

11. FOR A BILLED ENTITY WHO IS THE ADMINISTRATIVE AUTHORITY:

Contact Person

Bryan Cofer

Phone Number

(423) 346-6214

Entity Number

128406

Applicant's Form Identifier

650YR5486A

Entity Number 128406 Applicant's Form Identifier 650YR5486A
Contact Person Bryan Cofer Phone Number (423) 346-6214

I certify that I am authorized to submit this receipt of service confirmation on behalf of the above-named Billed Entity, that I have examined this request, and that, to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

12. Signature of authorized person

13. Date

Bryan Cofer

12232002

14. Printed name of authorized person

Bryan Cofer

15. Title or position of authorized person

Technology Coordinator

16. Telephone number of authorized person

Extension

423 346 6214

Please submit this form to:

SLD-Form 486
P. O. Box 7026
Lawrence, Kansas 66044-7026

For express delivery services or U.S. Postal Service, Return Receipt Requested, send this form to:

SLD-Form 486
c/o Ms. Smith
3833 Greenway Drive
Lawrence, Kansas 66046
888-203-8100



FedEx USA Airbill
Express

FedEx
Tracking
Number

8357 3075 4604

1 From Please print and print here

Date 12-23-02 Sender's FedEx
Account Number

2311-9857-1

Sender's
Name

Bryan Cofer

Phone (423) 346-6214

Company MORGAN CO SCHOOLS

Address 136 FLAT FORK RD

City WARTBURG

State TN ZIP 37887

2 Your Internal Billing Reference

650 YRS 486A

3 To Recipient's
Name

Ms. Smith

Phone (888) 203-8100

Company

SLD-Form 486

Address

3833 Greenway Drive

We cannot deliver to P.O. boxes or F.O. ZIP codes.

Address

Dept./Floor/Suite/Room

City Lawrence

State KS

ZIP 66046

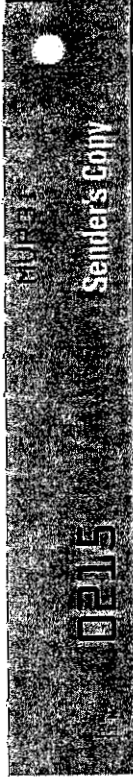
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Questions? Visit our Web site at fedex.com or call 1.800.Go.FedEx® 800.463.3338.

0217450056

PULL AND RETAIN THIS COPY BEFORE AFFIXING TO THE PACKAGE.



4a Express Package Service

☐ Next business morning

☒ FedEx Priority Overnight

☐ FedEx Standard Overnight

☐ FedEx First Overnight

Earliest next business morning delivery to select locations

☐ FedEx 2Day

☐ FedEx Express Saver

☐ FedEx 3Day Freight

4b Express Freight Service

☐ FedEx 1Day Freight*

☐ FedEx 2Day Freight

☐ FedEx 3Day Freight

* Call for Confirmation

5 Packaging

☒ FedEx Envelope*

☐ FedEx Pak*

☐ Other

6 Special Handling

☐ SATURDAY Delivery

☐ HOLD Weekday

☐ HOLD Saturday

Available ONLY for FedEx Priority Overnight and FedEx First Overnight. FedEx 2Day to select locations.

Does this shipment contain dangerous goods?

Include FedEx address in Section 3

☐ No

☐ Yes

☐ Dry Ice

☐ As per attached Shipper's Declaration

☐ Dry Ice, 3 UN 1845

☐ Cargo Aircraft Only

7 Payment Bill to:

☒ Sender

☐ Recipient

☐ Third Party

☐ Credit Card

☐ Cash/Check

FedEx Alert No. _____

Enter FedEx Alert No. or Credit Card No. below.

FedEx Alert No. _____

Total Packages

Total Weight

Total Declared Value*

1

\$.00

14.56

FedEx Use Only

8 Release Signature

Your liability is limited to \$100 unless you declare a higher value. See back for details.

Sign to authorize delivery without obtaining signature

447

SP-Net, Date 10/01/99, Part #159103-0199-2001 FDX-PRINTED IN U.S.A.

Attachment #3

**Universal Service for Schools and Libraries
Receipt of Service Confirmation Form**

Estimated Average Burden Hours For First Submission: 15.0 hours
For Subsequent Submissions: 1.5 hours

**Instructions for Completing the
Schools and Libraries Universal Service
Receipt of Service Confirmation Form (FCC Form 486)**

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V. SPECIFIC INSTRUCTIONS	Page 10
VI. REMINDERS	Page 18

NOTICE

NOTICE: This form is required to inform the Fund Administrator, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company, that the eligible entity participating in the universal service support mechanism is receiving or is planning to receive services. The collection of information stems from the Federal Communication Commission's (FCC) authority under Section 254 of the Communications Act of 1934, as amended, 47 U.S.C. § 254. The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or potential violation of an FCC statute, regulation, rule or order, your application may be referred to the federal, state, or local agency responsible for investigating, prosecuting, enforcing or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when: (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government, is a party in a proceeding before the body or has an interest in the proceeding. In addition, consistent with the Communications Act of 1934, FCC regulations and orders, the Freedom of Information Act, 5 U.S.C.

§ 552, or other applicable law, information provided in or submitted with this form or in response to subsequent inquiries may be disclosed to the public.

If you do not provide the information we request on the form, the Fund Administrator may delay processing of your application or may return your application without action.

The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. §§ 3501, *et seq.*

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid control number.

Public reporting burden for this collection of information is estimated to average 15 hours for the first submission and 1.5 hours for subsequent submissions, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden, to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, D.C. 20554. **DO NOT SEND COMPLETED FORMS TO THIS ADDRESS.**

I. PURPOSE OF FORM

The FCC Form 486 Receipt of Service Confirmation Form is used by the Billed Entity who filed an FCC Form 471 on behalf of an eligible school, school district, library (outlet/branch, system), or a consortium of those entities. The Form 486 informs the Fund Administrator, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company, when the Billed Entity and/or the eligible entities that it represents is receiving, is scheduled to receive, or has received service in the relevant Funding Year from the named Service Provider(s). Receipt by SLD of a properly completed Form 486 triggers the process for SLD to receive invoices.

The Form 486 must be filed to accomplish the following:

- To authorize the payment of invoices from your Service Provider(s)
- To indicate approval of technology plans (as required)
- To indicate (starting in Funding Year 2001, which begins July 1, 2001) the state of compliance with the Children's Internet Protection Act (CIPA)(Pub. L. 106-554).

To cancel or reduce a Funding Request or to change the Contract Expiration Date reported on the Form 471, please file an FCC Form 500, *Adjustment to Funding Commitment and Modification to Receipt of Service Confirmation Form*. Please refer to the Form 500 instructions for more information.

Throughout these Instructions, the Billed Entity will be referred to as "Applicant" or "Billed Entity" or "you." A Billed Entity may be a school, school district, library (outlet/branch, system), or a consortium of those entities. A Billed Entity may also be a city, a state, or an entity created solely to participate in this universal service discount mechanism, that actually pays the bills for the service to the Service Provider. The Billed Entity itself may or may not be eligible for discounts. The same Billed Entity that filed the Form 471 application should be identified as the Billed Entity for the Form 486. Please note that consortium leaders generally have a special requirement for Funding Year 2001 and later (see the instructions for Item (11)).

The Billed Entity must submit the relevant information on a Form 486 for each Funding Request Number approved by the SLD. Each Discount Funding Request (Form 471, Block 5) and its associated Funding Request Number (FRN), contains information about one service for which you have requested discounts. You may have submitted multiple Block 5 requests. The FRNs cited on this Form 486 must be based on the FRNs cited in the Funding Commitment Decision Letter(s) issued by the Fund Administrator.

Universal service support will not be paid to a Service Provider on an approved funding commitment prior to the SLD's receipt of the Form 486. A Service Provider is not obliged to begin providing discounts to a Billed Entity UNTIL the Billed Entity files a properly completed Form 486 that is accepted and processed by the SLD. The SLD will send a written notification to a Service Provider to acknowledge receipt of a Form 486 for each FRN for which the Service Provider Identification Number (SPIN) is listed. The Service Provider may invoice the Fund Administrator for discounts provided pursuant to an approved FRN after receiving the written notification letter of receipt of Form 486 for the particular FRN and after the start of the Funding Year.

The Billed Entity may elect EITHER to receive discounts on bills, if available, or to pay bills in full and receive retroactive reimbursement through an FCC Form 472, Billed Entity Applicant Reimbursement (BEAR) Form. The Billed Entity must choose only ONE method of discounts for the relevant Funding Year. The Billed Entity should contact the Service Provider to verify which form of discount is available and works best.

II. IMPACT OF CIPA REQUIREMENTS ON FORM 486

The Children's Internet Protection Act (CIPA) was signed into law on December 21, 2000. In order to receive discounts for Internet Access and Internal Connections services under the universal service support mechanism, school and library authorities must certify that they are enforcing a policy of Internet safety. The Internet safety policies for schools must include measures to block or filter Internet access for both minors and adults to certain visual depictions.

Beginning with Funding Year 2001 (the Funding Year beginning July 1, 2001) schools and libraries applying for Internet Access or Internal Connections must certify on a Form 486 that they are in compliance with the requirements of CIPA or that they are undertaking such actions to comply with the requirements of CIPA prior to the start of the following funding year. Although CIPA requirements do not apply to Telecommunications Services, Billed Entities applying only for Telecommunications Services must, in general, still certify on a Form 486 that CIPA requirements do not apply. (For more information, see the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l).)

Administrative Authority. The Administrative Authority for a school or library is the entity that must make the relevant certification for purposes of CIPA. For a school, the Administrative Authority may be the school, school district, school board, local educational agency, or other authority with responsibility for administration of the school. For a library, the Administrative Authority may be the library, library board, or other authority with responsibility for administration of the library.

If the Administrative Authority is also the Billed Entity, the Administrative Authority certifies on the Form 486. If the Administrative Authority is not the Billed Entity, the Administrative Authority must complete FCC Form 479, *Certification of Administrative Authority to Billed Entity of Compliance with the Children's Internet Protection Act*, and submit the Form 479 to the Billed Entity. The Billed Entity then certifies on Form 486 that it has collected duly completed and signed Form(s) 479. The Billed Entity does not need to collect Forms 479 when the Billed Entity applies only for Telecommunications Services.

Applying for funds. For the purpose of CIPA requirements, a school or library who is a recipient of service is considered to have applied for funds in a Funding Year only when a Receipt of Service Confirmation Form 486 for a Funding Request for Internet Access or Internal Connections has been successfully data entered.

Determination of Your First Funding Year for Purposes of CIPA. The first Funding Year after Funding Year 2000 (the Funding Year beginning July 1, 2000) in which a school or library applies for funds (i.e. in which a Form 486 is successfully data entered for Internet Access or Internal Connections) is the **First Funding Year** for purposes of CIPA. Once your First Funding Year is established, the next two funding years will be your second and third funding years for purposes of CIPA. (See **Applying for Funds** above.) In the first Funding Year, the applicant must be in compliance with CIPA or undertaking actions to comply with CIPA, in order to receive discounts for Internet Access or Internal Connections services.

Once the First Funding Year is established, the Funding Year immediately following the First Funding Year becomes the **Second Funding Year** for purposes of CIPA. If the school or library applies for funds for Internet Access or Internal Connections in the Second Funding Year, it must certify that it is in compliance with CIPA unless state or local procurement rules or regulations or competitive bidding requirements prevent the making of the certification otherwise required. A school or library so prevented may request a waiver for the Second Funding Year. (See the instructions for Item (6b).)

The **Third Funding Year** for purposes of CIPA is the Funding Year immediately following the Second Funding Year. If the school or library applies for funds for Internet Access or Internal Connections in the Third Funding Year, it must be in compliance with CIPA.

You must be in compliance with CIPA for any Funding Year thereafter.

The following situations WOULD constitute the Administrative Authority's First Funding Year:

- The Billed Entity submits a Form 486 for Internet Access or Internal Connections, the Form 486 is successfully data entered, but the Billed Entity cancels all of its Funding Requests on a Form 500.
- The Billed Entity submits a Form 486 for Internet Access or Internal Connections, the Form 486 is successfully data entered, but the Service Provider does not receive a corresponding disbursement.

The following situations WOULD NOT constitute the Administrative Authority's First Funding Year:

- The Billed Entity receives a Funding Commitment for Internet Access or Internal Connections, but takes no further action.
- The Billed Entity receives a Funding Commitment for Internet Access or Internal Connections, submits Form 486, but the Form 486 is not successfully data entered.
- The Billed Entity applies only for Telecommunications Services.

III. FILING REQUIREMENTS AND GENERAL INSTRUCTIONS

Who Must File the Form 486?

The Billed Entity representing a school, school district, library (outlet/branch, system), or a consortium of those entities who completed and submitted the FCC Form 471, *Services Ordered and Certification Form*, to which this Form 486 relates, must file the *Receipt of Service Confirmation Form* (Form 486) with the SLD. Your Funding Commitment Decision Letter from the SLD cites your Entity Number, which you must also record in Block 1, Item 2 of this form. If you received multiple Funding Commitment Decision Letters setting forth discount approvals for the same Entity Number, in general you may choose to complete one Form 486 encompassing all of them (see "How Many Forms 486 to File?" below).

How Many Forms 486 to File?

When deciding whether to file a single Form 486 for multiple FRNs or multiple Forms 486 for separate FRNs, the Billed Entity should consider the following points. Note that only one Funding Year can be featured on a Form 486:

1. Early filing. It is possible that you will have one or more early Forms 486 and one or more later Forms 486. See the Block 2 instructions below for more information on early filing.
2. Timing of start dates. Is the Service Start Date the same or varied among the multiple FRNs? If multiple FRNs have the same or similar start dates for service, then you may file one Form 486 for all of the FRNs whose Service Start Date has occurred, or, in the case of early filing, is scheduled to occur. See "When to File?" below for more information on the relationship of Service Start Dates to Form 486 filing deadlines.
3. Availability of information. If any of the information required for a particular FRN is missing, the Billed Entity should submit a separate Form 486 for the particular FRN in question. In order for your Form 486 to be accepted for processing, all components of information are required to be completed. If required information is missing or an invalid entry is made, your Form 486 may be rejected and returned to you without being accepted and processed. (See "**Minimum Processing Standards**" below.)

4. You must complete a separate Form 486 in the following situations:
- if you receive Funding Commitment Decision Letters featuring more than one Entity Number (only one Entity Number may be featured on a Form 486).
 - for Funding Year 2001 and later, if the Item (11)(a) certification applies to certain FRNs and the Item (11)(b) certification applies to other FRNs. (However, if you file a Form 486 for FRNs for which either Item (11)(a) or Item (11)(b) applies, you may include FRNs for Telecommunications Services on that Form 486.)
 - for Funding Year 2002 and later, if you file a waiver of CIPA requirements for a portion of your funded FRNs (see waiver information under Item (6b) below).

When to File?

You may file a Form 486 no earlier than the receipt of a Funding Commitment Decision Letter (FCDL) from the SLD.

In general, the Form 486 **MUST** be postmarked no later than 120 days after the Service Start Date featured on the Form 486 or no later than 120 days after the date of your Funding Commitment Decision Letter, whichever is later, in order to receive discounts retroactively to the Service Start Date.

If the Form 486 is postmarked later than the above deadline, the date 120 days before the Form 486 postmark date will become the start date for discounted services on those Funding Requests featured on the Form 486. SLD will not provide discounts for the services rendered prior to the new start date and will reduce the funding commitment for the relevant FRN as appropriate.

Guidance on when to file in certain specific situations is provided below:

1. EARLY FILING: For those Funding Requests for services where the date of the FCDL and the Service Start Date featured on the Form 486 are both before July 31 of the Funding Year, the Billed Entity has the option to file Form 486 early — that is, in advance of services starting — if certain conditions are met. If the Form 486 is filed in this manner, it **MUST be postmarked on or before July 31 of the Funding Year.**

You may be eligible to file the Form 486 on or before July 31 of the Funding Year if:

- You have received your FCDL.
- You have confirmed with the named Service Provider that the services you ordered will start on the Service Start Date, which must be in July of the Funding Year.
- You are able to accurately make all of the relevant certifications in Block 4 in advance of the date of the start of discounted services.

This option is at the discretion of the Billed Entity; it has the merit of facilitating the provision of discounts on bills as soon as possible and means that SLD is authorized to begin payments on invoices submitted by your Service Provider for services delivered and installed on or after the Service Start Date.

The Billed Entity must complete Form 486, including the certification(s) in Item (11), and postmark the Form 486 on or before July 31 of the Funding Year. Early filers must also check Item (6)(a).

2. SCHOOLS: Funding Year 2001 Funding Requests for services starting on or before October 28, 2001:

- If the Service Start Date featured on your Form 486 is on or before October 28, 2001 and the date of your Funding Commitment Decision Letter is BEFORE October 28, 2001, the Form 486 MUST be postmarked on or before October 28, 2001 in order to receive discounts retroactively to the Service Start Date.
- If the Service Start Date featured on your Form 486 is on or before October 28, 2001 and the date of your Funding Commitment Decision Letter (FCDL) is AFTER October 28, 2001, the Form 486 MUST be postmarked no later than 120 days after the date of your FCDL in order to receive discounts retroactively to the Service Start Date.

If the Form 486 is postmarked later than the appropriate deadline above, the Form 486 postmark date will become the start date for discounted services on those Funding Requests featured on the Form 486. SLD will not provide discounts for the services rendered prior to the new start date and will reduce the funding commitment for the relevant FRN as appropriate.

3. LIBRARIES: Funding Year 2001 Funding Requests for services

You should review the document “New Guidance on CIPA Certifications for Funding Years 2001 and 2002 for Applicants that Include Libraries” posted in the Reference Area of the web site <www.sl.universalservice.org> for information on filing Form 486.

4. Funding Years beginning with Funding Year 2001

If a Billed Entity has Funding Requests featuring Service Start Dates occurring at different times during the Funding Year, the Billed Entity may decide to file multiple Forms 486 to ensure that discounts are paid back to the Service Start Dates.

5. Use of Form 500 to Adjust Service Start Date

Billed Entities, under certain conditions, can adjust the Service Start Date previously reported on a Form 486 by filing an FCC Form 500, *Adjustment to Funding Commitment and Modification to Receipt of Service Confirmation Form*.

Beginning with Funding Year 2001, due to the CIPA law, a Form 500 cannot be used to move the Service Start Date earlier in time from the adjusted Service Start Date featured on the Form 486 Notification Letter. Please refer to the Form 500 instructions for more information.

Where to File?

You may complete and submit the Form 486 by filing the form online on the SLD web site at [<www.sl.universalservice.org>](http://www.sl.universalservice.org). If you are filing the Form 486 online, you must also complete and submit to the SLD the Block 4 Certification with the signature of the authorized person (whether electronic or paper). If you have a User ID and a PIN, you are encouraged to submit your Form 486 certifications online. Check the SLD web site for information about obtaining a User ID and a PIN.

If you file the Form 486 on paper, you must ***the completed and signed form (see the instructions for Item 12 and the description under Valid Certification in the Compliance section below) to:***

**SLD-Form 486
P.O. Box 7026
Lawrence, KS 66044-7026.**

For express or overnight delivery, send to:

**SLD-Form 486
c/o Ms. Smith
3833 Greenway Drive
Lawrence, KS 66046.**

Note: **DO NOT FILE THIS OR ANY OTHER UNIVERSAL SERVICE FORM WITH THE FEDERAL COMMUNICATIONS COMMISSION.**

Compliance.

Anyone filing false information is subject to penalties for false statements, including fine or forfeiture, under the Communications Act, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.

All of the information required in the Form 486 must be completed, in order for this Form to be accepted by the Fund Administrator for processing. A valid entry must be submitted on the Form 486 for each component of information required. These Instructions set forth the requirements for a valid entry. If you have any questions about completing this Form, please visit the SLD web site at [<www.sl.universalservice.org>](http://www.sl.universalservice.org) and if you have remaining questions, please contact the SLD Client Service Bureau at 1-888-203-8100, before submitting the Form. **If the Form is not properly completed, the Form may be rejected and returned to you.**

Where to Get More Information?

Information and detailed guidance is available on the Schools and Libraries Division's web site at [<www.sl.universalservice.org>](http://www.sl.universalservice.org). You may also call the SLD Client Service Bureau at 1-888-203-8100, send an e-mail to question@universalservice.org or a fax to 1-888-276-8736 for more information on how to complete this or other universal service forms.

IV. MINIMUM PROCESSING STANDARDS

You are encouraged to file your Form 486 online at <www.sl.universalservice.org>. The online system is designed to help you file successfully, and using the online system will ensure that your Form 486 meets Minimum Processing Standards and is data entered into our system correctly.

When a paper Form 486 is received by the SLD, the form is first reviewed to make sure it complies with the following requirements before data entry begins. These minimum processing requirements are necessary in order to ensure the timely and efficient processing of properly completed applications. If a Form 486 fails to meet these requirements, the Form 486 will be rejected. The SLD may be prevented from returning the rejected Form 486 to the sender if the form lacks essential identifying information. If an applicant receives a returned Form 486, it is important that it resubmit the corrected form quickly. Once the corrected form is successfully data entered, the postmark date of that corrected form will be the postmark date for purposes of the deadline. (See “*When to File?*” above for filing deadline requirements.)

Manual Filers:

Correct Form: Each Form 486 must be:

- a. the correct, OMB-approved FCC Form 486, with a date of July 2001 or later in the lower right-hand corner (you are strongly encouraged to use the Form 486 dated July 2002);
- b. submitted by regular mail, express delivery, or U.S. Postal Service Return Receipt Requested, or hand delivery. Forms may not be submitted by fax or e-mail. You are advised to keep proof of the date of mailing.

Complete Submission: All pages of the form must be submitted.

Billed Entity Information: In Block 1, each of the following items must be properly completed:

- a. Item (1) Billed Entity Name or Item (2) Billed Entity Number;
- b. Item (3) Funding Year – only one Funding Year may be featured on a Form 486;
- c. Item (5) Contact Person Name.

Service Information: Each row of the Block 3 Service Information must, at a minimum, include:

- a. Column (B) – Funding Request Number;
- b. Column (F) – Funding Year Service Start Date

in order to be data entered as part of the Form 486. If this information is missing, the row will not be data entered and the applicant will be notified. If all rows of the Block 3 Service Information fail to meet these requirements, the form will be rejected.

CIPA Certification: For Funding Year 2001 and later Funding Years, Billed Entities must check at least one of the boxes labeled (a) through (e) in Item (11).

Valid Certification: In Block 4, Item (12) Signature of authorized person must be completed. If Item (12) is left blank, the Form 486 will be rejected.

Online Filers:

When Blocks 1-3 of a Form 486 are submitted online, the applicant must also (1) submit the completed Block 4 certification online with a User ID and a PIN or (2) submit the completed and signed Block 4 paper certification by mail, express delivery or U.S. Postal Service Return Receipt Requested.

- You are encouraged to certify your Form 486 online with a User ID and a PIN. The online system is designed to help you file successfully, and using the online system will ensure that your Form 486 certification meets Minimum Processing Standards and is data entered into our system correctly.
- If the Block 4 certification is submitted on paper, you are advised to keep proof of the date of mailing. The Block 4 certification is reviewed to make sure it complies with the requirements listed in the **Valid Certification** section above. Reviewers also look for the Form 486 Application Number before the Certifications and Signature page is accepted and the Form 486 reaches “certified” status. The Block 4 certification document must contain the information necessary to match your paper certification with the Blocks 1-3 of the form that were filed online.

V. SPECIFIC INSTRUCTIONS

Type or clearly print in the spaces provided. Billed Entities may attach additional pages if necessary.

Only **one** Funding Year can be featured on a Form 486.

Applicant’s Form Identifier: Use this space to assign a number or letter of your own devising to facilitate communication with us about THIS particular Form 486. This Applicant’s Form Identifier can be very simple; for example, if you are filing three Forms 486, you might label them “A,” “B,” and “C.” The Applicant’s Form Identifier can also be descriptive, such as “School Internet.” Choose identifiers that suit your own record keeping needs.

A. Block 1: Billed Entity Information

Block 1 of Form 486 asks you for your address and basic identification information. “You” refers to the Billed Entity – a school, school district, library (outlet/branch, system), or a consortium of those entities. A Billed Entity may also be a city, a state, or an entity created solely to participate in this universal service discount mechanism, that actually pay the bills for the service to the service provider. The Billed Entity itself may or may not be eligible for discounts.

Item (1) – You must provide the name of the Billed Entity as indicated on the corresponding Funding Commitment Decision Letter.

Item (2) – You must provide the Billed Entity Number as it appears on your Funding Commitment Decision Letter for the corresponding Form 471. **Please be sure to obtain this information from your Funding Commitment Decision Letter, as the information may have been reported differently in your Form 471 application.**

Item (3) – You must provide the Funding Year for which your funds were approved, e.g., "07/01/2001 – 06/30/2002." The Funding Year you supply here must be the same as the Funding Year contained in your Funding Commitment Decision Letter for the corresponding Form 471. Each subsequent Funding Year begins on July 1 of that year. Cite only one Funding Year in this item.

Item (4) - Provide the Billed Entity's full mailing address, whether a street address, Post Office Box number, or route number. You are strongly encouraged to provide a street address rather than a Post Office Box if possible. In addition, please provide your 10-digit telephone number, fax number, and e-mail address.

Item (5) – You must provide the name of the person who should be contacted with questions about this form. The Contact Person must be able to answer questions in a timely manner regarding the information included in this form. Provide the mailing address for the Contact Person, and 10-digit telephone number, fax number and e-mail address if different from the address information in Item (4), and check the preferred mode of contact. Wherever possible, the SLD will use this mode to contact you.

B. Block 2: Early Filing Information and CIPA Waiver Request

Item (6a) – To file Form 486 before services start, this item **MUST** be checked and the Form 486 **must be postmarked on or before July 31** of the Funding Year. In order to file Form 486 before services start, you must have confirmed with the named Service Provider that the services you ordered will start on the Service Start Date. You also must be able to accurately make all relevant certifications in Block 4. If you are submitting Form 486 after services have started, do not check this box.

Item (6b) – If you are a Billed Entity who is also the Administrative Authority for the purpose of CIPA, you must check Item (6b) if you need to request a waiver from CIPA requirements in the Second Funding Year in which you apply (see the explanation in **"IMPACT OF CIPA REQUIREMENTS ON FORM 486"** above).

In Item (6b) you may provide notification that, as of the date of the start of discounted services, you are unable to make the certification in Item (11)(a) because your state or local procurement rules or regulations or competitive bidding requirements prevent you from making that certification. You also certify that the schools or libraries represented in the Funding Request Number(s) on this Form 486 will be brought into compliance with the CIPA requirements before the start of the third Funding Year after April 20, 2001 in which they apply for discounts. If the Billed Entity is not the Administrative Authority, Item (6b) should NOT be checked.

For example, if in Funding Year 2001 you certify that you are undertaking such actions necessary to be in compliance with the requirements of CIPA for Funding Year 2002, then in order to obtain discounts in Funding Year 2002, you must be in compliance with the requirements of CIPA prior to the start of services in that Funding Year unless you obtain a waiver as a result of procurement/competitive bidding constraints. In this example, if you obtain a waiver in Funding Year 2002, you must be in compliance with the requirements of CIPA prior to the start of Funding Year 2003.

In certain situations, a Billed Entity could have some Funding Request Numbers for which waivers can be requested and other Funding Request Numbers for which waivers are not requested. A Form 486 with Item (6b) checked must only feature Funding Request Numbers for which waivers are being requested.

C. Block 3: Service Information

Block 3 of Form 486 asks you to provide the Form 471 Application Number, the Form 471 Funding Request Number, the Billing Account Number, the Service Provider Name, the Service Provider Identification Number (SPIN), and the Funding Year Service Start Date.

Item (7) – Information to complete Columns (A) – (E) will be contained on the Funding Commitment Decision Letter (FCDL) sent to you by the SLD. Note: Column (C) Billing Account Number will be provided only if you submitted the information on Form 471. If you file the Form 486 online, the entries for Columns (A), (C), (D), and (E) will be automatically populated after you complete the entry of a Funding Request Number in Column (B).

Columns (A), (B), (C), (D) and (E)

The Billed Entity must provide the following information for columns (A), (B), (C), (D) and (E), except where noted. All of this information must be obtained from the SLD Funding Commitment Decision Letter issued to each Form 471 Billed Entity approved for funding.

(A) 471 Application Number;

(B) Funding Request Number (FRN) for the services to be provided;

(C) Billing Account Number (required if contained in your FCDL);

(D) Service Provider Name

(E) Service Provider Identification Number (SPIN).

Column (F)

Funding Year Service Start Date: The date on which the service for each Funding Request Number started, or, in certain circumstances, is scheduled to start. This date cannot be earlier than the first day of the Funding Year (July 1). This date must be provided in month, day and four-digit year (mm/dd/yyyy) format.

- **Funding Year Service Start Date Definition:**

For recurring services (for example, Telecommunications Services and Internet Access, ongoing Internal Connections services such as maintenance), the Funding Year Service Start Date may be:

- the date that service has started and billing begins;
- the date that billing has been established for your account;
- the beginning date of the billing period covered by your first bill for this service.

In no instance can this date be earlier than July 1 of the relevant Funding Year.

For non-recurring services/products installation (for example, installation of Telecommunications Services or Internal Connections or purchase of eligible Internal Connections), the Funding Year Service Start Date may be:

- July 1 of the relevant Funding Year for contracts which require a prepayment before the start of the Funding Year. These prepayments may be requested by the Service Provider at the time that the contract is signed or before work begins;
- the date that the Service Provider ships the product;
- the date that the installation/construction of work begins.

In no instance can this date be earlier than July 1 of the relevant Funding Year.

Please remember that in order to obtain discounted services from your Service Provider for a particular service or group of services for which the Fund Administrator approved discounts, it is essential that the Form 471 Billed Entity file a Form 486 with Column (F) completed to indicate the Funding Year Service Start Date.

D. Block 4: Certification

Item (8) - Certify that the technology plans covering the services listed above for all the eligible entities who are recipients of services covered under this Form 486 have been approved by an authorized organization(s) that has been certified by the SLD in compliance with the rules applicable to this program. Provide the name(s) of the organization(s) who are the technology plan approver(s) that approved a technology plan for any eligible entity that is receiving services covered under this Form 486. If EVERY Funding Request Number (FRN) listed in the Form 486 is for basic telephone service only, enter "none." Each entity receiving more than basic telephone services in the FRNs listed on this Form 486 must be included under a technology plan which has been approved by an appropriate reviewing body. If you have any questions about technology plan review, please check the Technology Planning section in the Reference Area of the SLD web site at <www.sl.universalservice.org>, or contact our Client Service Bureau at 1-888-203-8100.

Item (9) - Certify that the services listed on this Form 486 have been, are planned to be or are being provided to the eligible entities identified in the Form 471 application(s) cited in this Form 486. Further certify there are signed contracts covering all of the services listed except for those services provided under tariff or on a month-to-month basis.

Item (9) also requires the individual signing on behalf of the Billed Entity to certify that he or she is authorized to submit the information contained in the Form 486 Receipt of Service Confirmation Form on behalf of the Billed Entity. The individual signing on behalf of the Billed Entity must certify that the information contained in Form 486 is true to the best of his or her knowledge, information and belief. *Persons knowingly making false statements on this form can be punished by fine, forfeiture, or imprisonment under federal law.*

Item (10) – Certify that you understand that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the services receive an appropriate share of benefits from those services. Certify that you recognize that you may be audited pursuant to this application and will retain for five years any and all records, including Forms 479 where required, that you rely upon to complete this form and, if audited, will make available to the Administrator such records.

Item (11) – This item concerns compliance with the requirements of the Children’s Internet Protection Act (CIPA), as codified at 47 U.S.C. § 254(h) and (l), and the implementing rules as codified at 47 C.F.R. § 54.520. If this Form 486 pertains to a Funding Year prior to Funding Year 2001 (Funding Years beginning July 1, 2000 or earlier), skip Item (11) and go to Item (12).

If this Form 486 pertains to Funding Year 2001 (the Funding Year beginning July 1, 2001) or later, the recipient(s) of service represented in the Funding Request Numbers(s) on this Form 486 must certify the status of compliance with the Children’s Internet Protection Act. If you as the Billed Entity are the Administrative Authority, you will indicate the status of compliance on the Form 486. If you as the Billed Entity represent one or more Administrative Authorities (e.g., a consortium leader), then in most cases you must collect completed and signed Forms 479, *Certification by Administrative Authority to Billed Entity of Compliance with the Children’s Internet Protection Act*, from those Administrative Authorities who are the recipients of service so that you as the Billed Entity can make the proper certification(s) on Form 486. (You do not have to collect Forms 479 if you were funded only for Telecommunications Services.)

For Funding Year 2001 and later, Item (11) must be filled in.

General Instructions for Item (11):

1. A Billed Entity who is a recipient of service must check Item (11)(a) or (11)(b) or (11)(c). If the Billed Entity is not a recipient of service, skip to Item (11)(d). Note that the certifications in Items (11)(a) and (11)(b) are different for schools and for libraries.
2. A Billed Entity who represents one or more Administrative Authorities must check Item (11)(d) or (11)(e). (See “Special Notes for Billed Entities Who Represents One or More Administrative Authorities” below.)
3. FOR FUNDING YEARS AFTER FUNDING YEAR 2001, a Billed Entity who must collect Forms 479 and who checks Item (11)(d) must check Item (11)(f) or (11)(g). (See “Special Notes for Billed Entities Who Represent One or More Administrative Authorities” below.)
4. IF THIS FORM PERTAINS TO A FUNDING YEAR PRIOR TO FUNDING YEAR 2001 (THE FUNDING YEAR BEGINNING JULY 1, 2001), SKIP TO ITEM (12).

Special Notes for Billed Entities Who Represent One or More Administrative Authorities:

The Administrative Authority must make a certification for purposes of CIPA. (See **IMPACT OF CIPA REQUIREMENTS ON FORM 486** above for the definition of Administrative Authority.) However, in the following cases, the Billed Entity is not the Administrative Authority and therefore must collect Forms 479 from the Administrative Authority(ies) if:

- the Billed Entity is the lead member of a consortium but is not the Administrative Authority for all of the members of the consortium.
- the Billed Entity is a state or local government entity or other entity who acts as the Billed Entity for one or more schools or libraries represented on its Form 486 but who is not the Administrative Authority for those schools or libraries.
- the Billed Entity is the Administrative Authority for one or more schools or libraries (perhaps including itself) on its Form 486 but is not the Administrative Authority for other schools or libraries on its Form 486.

Following are descriptions of specific situations these Billed Entities may encounter:

A Billed Entity who is not an Administrative Authority must collect Forms 479 from the Administrative Authority of any school or library represented on its Form 486 unless it was funded only for Telecommunications Services. Typically, such Billed Entities would be consortium leaders. In the case of a Billed Entity who is the Administrative Authority for some schools and/or libraries but not for others, that Billed Entity must duly complete, sign and keep a Form 479 for each school or library for which it is the Administrative Authority unless it applied only for Telecommunications Services.

A Billed Entity who is the Administrative Authority and who also represents one or more other Administrative Authorities must make one certification in Item (11)(a) or Item (11)(b) or Item (11)(c) as well as one certification in Item (11)(d) or Item (11)(e).

For Funding Years after Funding Year 2001, a Billed Entity who checks Item (11)(d) must also check Item (11)(f) or Item (11)(g).

A Billed Entity who checks Item (11)(e) is certifying that the only services for which the Billed Entity has been approved for discounts on behalf of eligible members of the consortium are Telecommunications Services. If some of the eligible recipients have applied for Internet Access or Internal Connections outside of the Billed Entity's application(s), it is the responsibility of those entities to make the appropriate certifications for those services on separate Form(s) 486.

If two Billed Entities in a state are both state-level organizations (such as a State Department of Education and a State Information Network) and both are required to collect Forms 479 from their eligible recipients of services (such as all schools and school districts or all library outlets and libraries in the state), it is not necessary for both organizations to duplicate the collection of Forms 479. One state-level Billed Entity can assume the responsibility for collecting the Forms 479, and share the information with the other state-level Billed Entity. The second state-level Billed Entity

can then check Item (11)(d) with the understanding that “I have duly collected completed and signed Forms 479” means only that the second state-level Billed Entity has evidence that the collection was accomplished. However, the second state-level Billed Entity must verify that all of its eligible members requesting discounts are represented in the information collected by the other state-level Billed Entity.

In order to accurately make the relevant certification(s) on the Form 486, the Billed Entity who represents one or more Administrative Authorities must receive Forms 479 from the appropriate Administrative Entities before filing Form 486.

Specific Instructions for Item (11)

FOR A BILLED ENTITY WHO IS THE ADMINISTRATIVE AUTHORITY:

Check the one box in Items (11)(a) through (11)(c) that describes the status of compliance with the Children’s Internet Protection Act.

Schools and libraries receiving E-rate discounts are required to have an Internet safety policy that addresses: (1) access by minors to inappropriate matter on the Internet and World Wide Web, (2) the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications, (3) unauthorized access, including hacking, and other unlawful activities by minors online, (4) unauthorized disclosure, use, and dissemination of personal identification information regarding minors, and (5) measures designed to restrict minors’ access to materials harmful to minors. There is also a public notice and hearing/meeting requirement. For schools, the Internet safety policy must include the use of filtering or blocking technology that protects against access, through computers with Internet access, to visual depictions that are obscene, child pornography, or (in the case of use by minors) harmful to minors.

- **Item (11)(a)** – Check here if you certify that the recipient(s) of service represented in the Funding Request Number(s) on this Form 486 has (have) complied with the requirements of the Children’s Internet Protection Act. Do not check Item (11)(a) if you check Item (11)(b). Note that this certification is different for schools and for libraries.
- **Item (11)(b)** – Check here if you certify that the recipient(s) of service represented in the Funding Request Number(s) on this Form 486 is (are) undertaking such actions, including any necessary procurement procedures, to comply with the requirements of the Children’s Internet Protection Act for the next Funding Year, but has (have) not completed all requirements of CIPA for this Funding Year. Do not check Item (11)(b) if you check Item (11)(a). Note that this certification is different for schools and for libraries.
- **Item (11)(c)** – Check here if you certify that the Children’s Internet Protection Act does not apply because the recipient(s) of service represented in the Funding Request Number(s) on this Form 486 is (are) receiving discount services only for telecommunications services.

FOR A BILLED ENTITY WHO REPRESENTS ONE OR MORE ADMINISTRATIVE AUTHORITIES:

A Billed Entity who represents one or more Administrative Authorities must make the same certification(s) below as a Billed Entity who is the lead member of a consortium. If the Billed Entity represents one or more Administrative Authorities, read “consortium” and “eligible members of the consortium” to mean “the Administrative Authorities I represent.”

Check the box(es) in Item(s) (11)(d) through (11)(g) that pertain to your situation:

- **Item (11)(d)** – Check here if you certify, as the Billed Entity for the consortium or for the Administrative Authorities you represent, that you have collected duly completed and signed FCC Forms 479. For Funding Years after Funding Year 2001, a Billed Entity who checks Item (11)(d) must also check Item (11)(f) or (11)(g). (FORMS 479 ARE NOT SUBMITTED TO THE SLD. THEY ARE TO BE COLLECTED AND RETAINED BY THE BILLED ENTITY. This form is available in the SLD Forms section of the SLD web site <www.sl.universalservice.org> or may be obtained by calling the Client Service Bureau at 1-888-203-8100.)
- **Item (11)(e)** – Check here if you certify, as the Billed Entity for the consortium or for the Administrative Authorities you represent that the only services for which you have been approved for discounts under the universal service support mechanism are Telecommunications Services, and therefore the requirements of CIPA do not apply.
- **Item (11)(f)** – For Funding Years after Funding Year 2001: Check here if you certify, as the Billed Entity for the consortium or for the Administrative Authorities you represent, that some or all of the entities who filed Form 479 are seeking a CIPA Waiver by checking Form 479 Item (6)(d). Do not check Item (11)(f) if you check Item (11)(g).
- **Item (11)(g)** – For Funding Years after Funding Year 2001: Check here if you certify, as the Billed Entity for the consortium or for the Administrative Authorities you represent, that none of the entities who filed Form 479 are seeking a CIPA Waiver by checking Form 479 Item (6)(d). Do not check Item (11)(g) if you check Item (11)(f).

This certification language contained in the Form 486 is not intended to fully set forth or explain all the requirements of CIPA.

Item (12) requires the signature of the authorized person.

Item (13) - Enter the date the Form 486 was signed. This date must include the month, day and year.

Item (14) - Print the name of the Authorized Person whose signature is provided in Item (12).

Item (15) - Provide the title or position of the Authorized Person whose signature is provided in Item (12).

Item (16) - Provide the telephone number, including area code, of the Authorized Person whose signature is provided in Item (12).

Submit completed Forms 486 by mail to:

**SLD-Form 486
P.O. Box 7026
Lawrence, Kansas 66044-7026**

For express delivery services or U.S. Postal Service, Return Receipt Requested, send Forms 486 to:

**SLD-Form 486
c/o Ms. Smith
3833 Greenway Drive
Lawrence, Kansas 66046
888-203-8100**

VI. REMINDERS

- For Funding Year 2001 (the Funding Year beginning July 1, 2001) and later, you are required to certify on the Form 486 the status of your compliance with the Children's Internet Protection Act.
- The CIPA waiver in Item (6b) is **not** relevant for Funding Year 2001; it is to be used, if applicable, only for Funding Year 2002 and beyond.
- Unless you are using the Early Filing option described in the "*When to File?*" section above, do not file Form 486 before services have started.
- You are encouraged to file the Form 486 online at <www.sl.universalservice.org>. Using the online system will ensure that your Form 486 meets Minimum Processing Standards and is data entered into our system correctly.
- If you file on paper, your Form 486 must meet Minimum Processing Standards or your Form 486 will be rejected.